

REMARKS**I. Status of the Claims**

Claims 1, 3-5, 7-15 and 17 are pending in the application. Claims 1, 3-5, 7-8, 10 and 17 have been rejected. Claims 9 and 11-14 are objected to as being dependant upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, claims 15 and 17 have been amended. No new matter has been introduced by this Amendment.

II. Double Patenting Rejection:

Claims 1 and 5 stand rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 8, and 10-11 of U.S. 6,821,143 to Gasquet et al. (hereafter, "Gasquet"), in view of U.S. 2003/0002825 to Karker et al. (hereafter, "Karker").

Applicants respectfully disagree with the Examiner. The present invention, as claimed, includes at least one distinguishable limitation when compared to allowed claims 1, 8, and 10-11 in Gasquet, wherein the radiating element is coated with a layer of metal for absorbing laser radiation. This limitation is recited in at least claims 1 and 5 of the present invention. While Karker discusses the mounting of alignment ware to a metal substrate using spot welding, Karker does not recite or imply the fixing of a power light-emitting diode to a metallic heat radiating element coated with a layer of metal chosen to perpetuate both a solid and thermally conductive bond between the diode and radiating element when attached via laser spot welding.

In view of the above, Applicants respectfully request the double patenting rejection to claims 1 and 5 be withdrawn.

III. Objection to the Claims:

The Examiner has objected to claims 15 and 17 due to minor informalities. More specifically, claim 15 recites “the insulating support” in line 1. There is insufficient antecedent basis for this limitation. Further, claim 17 recites “heat radiator,” which lacks antecedent basis and should be corrected to “heat-radiating element” to maintain consistency in the claims.

Applicants have amended claim 15 to recite, “an insulating support” and have further amended claim 17 to recite, “the heat-radiating element” as indicated by the Examiner.

In view of the above, Applicants respectfully request the objections to claims 15 and 17 be withdrawn.

IV. Rejection Under 35 U.S.C. 103(a):

Claims 1, 3-4 and 5, 7-8, 10, 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 6,428,189 to Hochstein (hereafter, “Hochstein”) in view of Karker.

Applicants respectfully disagree with the 35 U.S.C. 103(a) rejection in view of the combined Hochstein and Karker references. Hochstein discloses a heat dissipater 30 for managing the heat generated by the LEDs 20, 22 or 24. Each of these LEDs 20, 22 or 24 include an integral heat sink 28 which is an intimate part of the LED and is manufactured therewith (see, for example, column 2, lines 56-58). Hochstein also discloses a thermal coupling agent 36 or 38 between the heat sink 28 and the heat dissipater 30, the thermal coupling agent also being an electrical insulator (see, for example, column 4, lines 20-31). Furthermore, Hochstein recites that, “unless isolated LEDs are used, some form of electrical insulation between the heat sink 28 of the LEDs and the metal dissipater 30 is required” (column 4, lines 1-4). Therefore, Applicants assert that Hochstein is not combinable with another reference to arrive at the claimed invention, since Hochstein discloses to use either isolated LEDs, or to use electrical insulator between the LED and the heat dissipater 30, which in both cases would prevent the use of laser spot welding.

The Karker reference does not appear more relevant than those previously cited. It discloses only that laser spot welding is a known technology for connecting electrical devices to substrates, and therefore does not cure the deficiencies in Hochstein as previously set forth.

Therefore, Applicants contend that at least claims 1 and 5 are distinguishable from the cited references, taken alone or in combination, and respectfully request that the 35 U.S.C. 103(a) rejection in view of the combined Hochstein and Karker references be withdrawn.

V. Allowable Subject Matter:

Claims 9 and 11-14 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants acknowledge the Examiner's indication of allowable subject matter in at least claims 9 and 11-14.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of the application.

AUTHORIZATION


The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1948-4841. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1948-41. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: November 20, 2006

By: _____



Elliot L. Frank

Registration No. 56,641

(202) 857-7887 Telephone

(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101